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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,201	10/11/2001	Gerardo Caracas Uribe	10010582 -1	1428

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EXAMINER

CARTER, TIA A

ART UNIT PAPER NUMBER

2626

DATE MAILED: 03/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/976,201

**Applicant(s)**

URIBE, GERARDO CARACAS

**Examiner**

Tia A Carter

**Art Unit**

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 5-12, 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Cass et al. (US. 5684885).

Regarding claim 1, Cass et al. discloses a method for storing data on printed sheets, said method (fig. 1, col. 3, lines 19-20) comprising:

dividing the data into a series of words, each word containing N bits of data, where N is a predetermined positive integer (fig. 1, col. 3, lines 12-27).

Selecting a set of  $2^n$  unique colors (fig. 1, col. 3, lines 21-27);

Assigning a unique color to each possible value of a word (fig. 1, col. 3, lines 49-55);

Printing a series of regions on sheet in predetermined two-dimensional pattern, wherein each region corresponds to one word of data and the color of each region is Determined by the unique color associated with the value of each word of data (fig. 1, col. 3, lines 31-55).

Regarding claim 2, Cass et al. disclose the method of claim 1 further comprising the step of printing information on the printed sheet defining parameters for retrieving data from the printed sheet (fig. 2, col. 3, lines 56-67).

Regarding claim 3, Cass et al. disclose the method of claim 1 wherein each unique color is created using a predetermined weighting of up to three primary colors (fig. 1, col. 4, lines 8-10).

Regarding claim 5, Cass et al. disclose the method of claim 1 wherein the regions are printed in a two dimensional array (fig. 2, col. 3, line 67 and col. 4, lines 1-5).

Regarding claim 6, Cass et al. disclose the method of claim 5 wherein adjacent regions in the two-dimensional array are separated by a control line having a predetermined appearance (fig. 1, col. 3, lines 40-47).

Regarding claim 7, Cass et al. disclose the method of claim 6 wherein the control line comprises alternating regions having a predetermined appearance (fig. 1, col. 3, lines 40-60).

Regarding claim 8, Cass et al. discloses a system for storing data on a printed sheet (fig. 1, col. 3, lines 17-21) comprising:

A processor (control program 99) dividing data into a series of words, each word containing N bits of data, where N is a predetermined positive integer; said processor further assigning a color for each word of data from a predetermined set of unique colors, said color being determined by the processor (fig. 1, col. 3, lines 49-55) .

A color printer (100) controlled by the processor (99) printing a series of regions on a sheet in a predetermined two-dimensional pattern, wherein each region corresponds to one word of data and the color of each region is determined by the processor (fig. 1, col. 3, lines 31-55).

Regarding claim 9, Cass et al. disclose the system of claim 8 wherein the processor further directs the printer to information on the printed sheet defining parameters for retrieving data from the printed sheet (fig. 2, col. 3, lines 56-67).

Regarding claim 10, Cass et al. disclose the system of claim 8 wherein each unique color is created using a predetermined weighting of up to three primary colors (fig. 1, col. 4, lines 8-10).

Regarding claim 11, Cass et al. disclose the system of claim 8 wherein the regions are printed in a two dimensional array (fig. 2, col. 3, line 67 and col. 4, lines 1-5).

Regarding claim 12, Cass et al. disclose the system of claim 11 wherein adjacent regions in the two-dimensional array are separated by a control line having a predetermined appearance (fig. 1, col. 3, lines 40-47).

Regarding claim 14, Cass et al. disclose a system for retrieving data stored on a printed sheet as a two-dimensional pattern of colored regions (fig. 1, col. 3, lines 17-21), said system comprising:

A color scanner (col. 4, line 18 and 66) scanning a printed sheet (fig. 5, col. 6, lines 45-67 and col. 7, lines 1-5); and

A processor (control program 99) processing color information from the scanner to determine the color of each of a two-dimensional pattern of regions on the sheet from a predetermined set of unique colors, said processor generating a word of digital data for each region containing a predetermined number of bits of data, the value of the each word of data being determined by the color of the corresponding region on the sheet (fig. 2, col. 4, lines 36-67).

Regarding claim 15, Cass et al. disclose the system of claim 14 wherein the processor initially reads information from a predetermined region of the printed sheet defining parameters for retrieving the remaining data from the printed sheet (fig. 5, col. 5, lines 65-67 and col. 6, lines 13).

Regarding claim 16, Cass et al. discloses the system of claim 14 wherein each unique color consists of a predetermined weighting of up to three primary colors (fig. 3, col. 4, lines 17-35).

Regarding claim 17, Cass et al. disclose the system of claim 14 wherein the regions are printed in a two-dimensional array (fig. 2, col. 3, line 67 and col. 4, lines 1-5).

Regarding claim 18, Cass et al. disclose the system of claim 17 wherein adjacent regions in the two dimensional array are separated by a control line having a predetermined appearance (fig. 1, col. 3, lines 40-47).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 13, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cass et al. (US. 5684885) in view of Gormish et al. (US. 5337362).

Regarding claim 4, Cass et al. disclose the method of claim 1.

Cass et al. do not disclose explicitly further comprising the initial step of compressing the data.

Gormish et al. disclose further comprising the initial step of compressing the data (fig. 1, col. 3, lines 35-48).

It would have been obvious to one skilled in the art at the time of the invention to modify Cass et al. wherein the data is compressed for larger amounts of data to be implemented.

Regarding claim 13, Cass et al. disclose the system of claim 8.

Cass et al. disclose wherein the processor compresses the data before dividing the data into words.

Gormish et al. disclose wherein the processor compresses the data before dividing the data into words (fig. 1, col. 3, lines 35-48).

It would have been obvious to one skilled in the art at the time of the invention to modify Cass et al. wherein the data is compressed for larger amounts of data to be implemented via the storage medium.

Regarding claim 19, Cass et al. disclose the system of claim 14.

Cass et al. do not disclose wherein the processor decompresses the data after generating the words of data.



Gormish et al. disclose wherein the processor decompresses the data after generating the words of data (fig. 4, col. 5, lines 3-21).

It would have been obvious to one skilled in the art at the time of the invention to modify Cass et al. wherein the data can be decoded providing a user a complete processed form of data.


### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Antognini et al. (US. 6820807) and Rhoads (US. 6754377) are cited to show related art with respect to forming digital data and printing via selective mediums.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tia A Carter whose telephone number is 703 - 306-5433. The examiner can normally be reached on M-F (7:00-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
TAC  
3/21/2005

Tia A Carter  
Examiner  
Art Unit 2626

  
KIMBERLY WILLIAMS  
SUPERVISORY PATENT EXAMINER